

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 SSO-00 INRE-00 ICAE-00 DEAE-00
CIAE-00 INR-10 IO-13 JUSE-00 NSAE-00 CTME-00
SNM-05 TRSE-00 NSC-05 OES-09 OMB-01 L-03 AID-05
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-----121726 262211Z /75/75

O 262045Z AUG 78
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC NIACT IMMEDIATE 2288

C O N F I D E N T I A L SECTION 1 OF 2 MEXICO 14082

FOLLOWING SENT 25 AUG 78, REPEATED BELOW FOR UR ACT/INFO;
QUOTE

R 250028Z AUG 78
FM AMEMBASSY MEXICO
TO RUEABND/DEAHQS WASHDC
RUEABND/DEA REGIONAL OFFICE CHICAGO
RUEABND/EPIC EL PASO TX
ZEN/AMCONSUL MONTERREY POUCH
ZEN/AMCONSUL GUADALAJARA POUCH
ZEN/AMCONSUL MAZATLAN POUCH
C O N F I D E N T I A L SECTION ONE OF TWO MEXICO 13960

DEA MEX 0867
DEAHQS FOR EN/EVANS, IG/FINK, ENOL/FRANGULLIE, ENOE
CONSULATES FOR DEA

E.O. 11652:N/A
TAGS:SNAR/MEX
SUBJECT: JAIME HERRERA-NEVAREZ, TD-77-0003
REF: LOU MEXICO 13880, DTD 0240003Z AUG 78

1. ON 24 AUGUST 1978, FOLLOWING A MEETING AT THE OFFICE
OF THE ATTORNEY GENERAL OF MEXICO FOR THE SIGNING OF
AGREEMENTS FOR APPROXIMATELY 8 MILLION DOLLARS IN
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CONNECTION WITH THE NARCOTICS ASSISTANCE PROGRAM IN
MEXICO, DRD MACOLINI RAISED THE MATTER OF THE RELEASE
OF RODOLFO HERRERA-NEVAREZ (V) DIRECTLY WITH ATTORNEY
GENERAL OSCAR FLORES SANCHEZ. PRESENT AT THE MEETING
WERE THE CHARGE, POLITICAL COUNSELOR, NARCOTICS CO-
ORDINATOR, NARCOTICS ASSISTANCE ATTACHE AND ACTING RD
MACOLINI FROM THE EMBASSY AND THE ATTORNEY GENERAL'S

OFFICE EXECUTIVE OFFICER LIC. FERNANDO BAEZA MELENDEZ.

2. THE ATTORNEY GENERAL STATED THAT RODOLFO HERRERA-NEVAREZ WAS RELEASED BECAUSE NO ARREST WARRANT HAD BEEN ISSUED FOR HIM AND THERE WERE NO WITNESSES NOR PROOF ON WHICH TO BASE A CONSIGNMENT OF THE CASE TO COURT. HE STATED THAT IF HE WERE CONSIGNED, RODOLFO HERRERA WOULD RECALL HIS STATEMENTS, SAYING THAT THEY WERE MADE UNDER DURESS AND THE ATTORNEY GENERAL'S OFFICE WOULD LOOK BAD AS A RESULT OF THE CASE. HE ADDED THAT RODOLFO HERRERA DID NOT KNOW WHERE HIS BROTHER (JAIME) WAS.

3. DRD MACOLINI EXPLAINED THAT IT WAS HIS UNDERSTANDING THAT THERE WAS A "DENUNCIA" WHICH HAD BEEN MADE BY A BANKER TO THE EFFECT THAT THE BANKER WAS LAUNDERING FUNDS FOR RODOLFO HERRERA WHICH FUNDS WERE THE PROCEEDS FROM NARCOTICS TRANSACTIONS; THAT RODOLFO HERRERA HAD ADMITTED SENDING FOUR SHIPMENTS OF HEROIN TO THE U.S. DURING THIS YEAR AND HAVING RECEIVED SOME 15 MILLION DOLLARS WHICH HAD BEEN LAUNDERED BY THE BANKER. DRD MACOLINI FURTHER STATED THAT DEA AGENTS HAD BEEN PRESENT DURING SOME OF THE QUESTIONING OF RODOLFO HERRERA AND THAT THE DECLARATIONS MADE BY HERRERA COULD BE PROVEN.

4. ATTORNEY GENERAL FLORES STATED THAT THE "DENUNCIA" HAD NOT BEEN HANDLED PROPERLY, THAT THE BANKER WOULD NOT BACK-UP HIS STATEMENT, THAT THE ACCOUNTS WERE NOT IN THE NAME OF RODOLFO HERRERA BUT IN THE NAME OF SOME WOMAN, CONFIDENTIAL

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THAT THERE WERE NO RECORDS OR CHECKS TO PROVE WHAT RODOLFO HAD SAID WAS TRUE AND THAT IN CONCLUSION THERE WAS NO PROOF AND NO WITNESSES. HE STATED THAT RODOLFO WAS PICKED UP IN THE FIRST PLACE BECAUSE THEY THOUGHT THEY HAD A CHARGE BUT THAT HE HAD TO BE RELEASED BECAUSE THERE WAS NO CASE. HE STATED THAT THEY CONSIDERED THE CASE STILL ACTIVE AND WOULD CONTINUE THE INVESTIGATION TO OBTAIN ADEQUATE PROOF AND ONLY THEN COULD THEY ACT.

5. THE MEETING THEN TURNED TO OTHER MATTERS. HOWEVER, THE ATTORNEY GENERAL BROUGHT UP THE RODOLFO HERRERA MATTER AGAIN TO DRD MACOLINI AT THE CLOSE OF THE MEETING. HE STATED THAT HIS OFFICE (MFJP) WAS NOT CLOSING THE CASE AND THAT AS SOON AS PROOF OR EVIDENCE COULD BE OBTAINED, THEY WOULD ACT.

6. DRD COMMENTS: FROM THE TONE AND Demeanor OF ATTORNEY GENERAL FLORES DURING THE DISCUSSION OF THE HERRERA CASE, IT APPEARED THAT THE ATTORNEY GENERAL WAS UNCOMFORTABLE ABOUT THE SUBJECT. THERE WAS A MARKED DIFFERENCE IN HIS Demeanor DURING DISCUSSION OF THE HERRERA CASE THAN IN OTHER PARTS OF THE MEETING. OTHER

PARTICIPANTS IN THE MEETING REMARKED THAT THEY NOTICED THIS DIFFERENCE.

7. PREVIOUS TO THE MEETING WITH ATTORNEY GENERAL FLORES, DRD MACOLINI RAISED THE SUBJECT IN CONFERENCE WITH LIC. BAEZA WHO STATED HE WAS NOT AWARE THAT RODOLFO HERRERA HAD BEEN RELEASED. DURING THE CONFERENCE, HE REQUESTED THAT AN AID DETERMINE THE STATUS AND WAS INFORMED THAT HERRERA HAD IN FACT BEEN RELEASED.

8. ADDITIONAL COMMENTS: THE MCRO HAD PRESENTED THE FACTS OF THE HERRERA DETENTION TO THREE SEPARATE MEXICAN ATTORNEYS IN A HYPOTHETICAL MANNER ON 23 AND 24 AUGUST 1978. THE CONSENSUS WAS THAT MEXICAN LAW WOULD ALLOW FOR THE CONFIDENTIAL

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TINUED DETENTION AND CONSIGNMENT TO COURT OF RODOLFO HERRERA BASED UPON THE STATEMENT OF THE BANKER AND HIS OWN DECLARATIONS. IT IS THE OPINION OF THE MCRO SUPERVISORY PERSONNEL THAT HERRERA WAS RELEASED BECAUSE OF OTHER

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INFO OCT-01 ISO-00 SSO-00 INRE-00 ICAE-00 DEAE-00
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/066 W

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O 262045Z AUG 78 ZDK
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC NIACT IMMEDIATE 2289

C O N F I D E N T I A L SECTION TWO OF TWO MEXICO 14082

C O N F I D E N T I A L SECTION 02 OF 02 MEXICO 13960

THAN LEGAL CONSIDERATIONS. ACTING RD MACOLINI. MCANINCH
UNQUOTE MCANINCH

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